

Order

Michigan Supreme Court
Lansing, Michigan

October 18, 2006

Clifford W. Taylor,
Chief Justice

130425

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 130425
COA: 256068
Jackson CC: 03-000466-FH

CHRISTIAN EARL QUADA,
Defendant-Appellee.

By order of April 28, 2006, the application for leave to appeal the January 10, 2006 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Anstey* (Docket No. 128368). On order of the Court, the case having been decided on July 31, 2006, 476 Mich 436 (2006), the application is again considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REINSTATE the defendant's conviction because dismissal is not a proper remedy for a violation of MCL 257.625a(6)(d).

KELLY, J., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 18, 2006

Corbin R. Davis

Clerk